

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 4:06CR65

KAY L. TERRY

ORDER

This cause is before the Court on the defendant's Motion to Sequester Witness Pursuant to Federal Rule of Evidence 615 [28]. The Court, having reviewed the motion, the response, the authorities cited and being otherwise fully advised in the premises, finds as follows, to-wit:

That the motion is not well-taken and should be denied. The Postal Inspector, Dewayne Martin, is the designated representative of the United States in this matter. Accordingly, he is exempt from the exclusionary provisions of F.R.E. 615:

At the request of a party the court shall order witnesses excluded so that they cannot hear the testimony of other witnesses, and it may make the order of its own motion. This rule does not authorize exclusion of . . . an officer or employee of a party which is not a natural person designated as its representative by its attorney . . .

F.R.E. 615.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the defendant's Motion to Sequester Witness Pursuant to Federal Rule of Evidence 615 [28] is not well-taken and should be, and hereby is, DENIED.

SO ORDERED, this the 27th day of June, 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE